

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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SARA WULLIGER

10 CV 6009 (SLT)

Plaintiff,

-against-

**REQUEST TO ENTER  
DEFAULT**

VISION FINANCIAL CORP.

Defendant.  
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TO: ROBERT C. HEINEMAN, CLERK  
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

Please enter the default of the defendant VISION FINANCIAL CORP. pursuant to Rule 55(a) of the Federal Rules of Civil Procedure for failure to plead or otherwise defend the above-captioned action as fully appears from the court file herein and from the attached affirmation of Adam J. Fishbein.

Dated: Cedarhurst, New York  
June 17, 2011

/s/

\_\_\_\_\_  
Adam J. Fishbein, P.C. (AF-9508)  
Attorney At Law  
**Attorney for the Plaintiff**  
483 Chestnut Street  
Cedarhurst, New York 11516  
Telephone (516) 791- 4400  
Facsimile (516) 791- 4411

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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SARA WULLIGER

10 CV 6009 (SLT)

Plaintiff,

-against-

**AFFIDAVIT IN SUPPORT  
OF DEFAULT  
JUDGMENT**

VISION FINANCIAL CORP.

Defendant.  
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ADAM J. FISHBEIN hereby declares as follows:

1. That I am an attorney licensed to practice in the State of New York and before this Honorable Court.
2. This putative class action suit was commenced pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* for defendant's violations of same.
3. The time within which the defendant may answer or otherwise move with respect to the complaint herein has expired; said defendant has not answered or otherwise moved with respect to the complaint.
4. Said defendant is not an infant or incompetent. Said defendant is not presently in the military service of the United States.

I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information and belief.

Wherefore, plaintiff requests that the default of the defendant be noted but not enter judgment until the plaintiff has had an opportunity to conduct discovery presumably via subpoena in order to file a motion for class certification.

I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information and belief.

Dated: Cedarhurst, New York  
June 17, 2011

/s/

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Adam J. Fishbein, P.C. (AF-9508)  
Attorney At Law  
**Attorney for the Plaintiff**  
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**CERTIFICATE**

I, Robert C. Heineman, Clerk of United States District Court for the Eastern District of New York, do hereby certify that the docket entries in the above entitled action indicate that the defendant VISION FINANCIAL CORP. was served with a copy of the summons and complaint by personal service upon Robin Wheeler, duly authorized to accept on April 19, 2011. I further certify that the docket entries indicate that defendant has not filed its answer or otherwise moved with respect to the complaint herein. The default of VISION FINANCIAL CORP. Inc. is hereby noted.

Dated: Brooklyn, New York

\_\_\_\_\_, 2011

**ROBERT C. HEINEMAN**

Clerk of Court

By: \_\_\_\_\_  
Deputy Clerk

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----  
SARA WULLIGER

10 CV 6009 (SLT)

Plaintiff,

-against-

CERTIFICATE OF SERVICE

VISION FINANCIAL CORP.

Defendant.  
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I, Adam J. Fishbein, licensed to practice law in the State of New York and before this Court do hereby certify that on June 20, 2011 I served plaintiff's motion for default and exhibits in support thereof upon VISION FINANCIAL CORP., 4 West Red Oak Lane South Suite 302, West Harrison, NY 10604 via first class mail.

/s/

\_\_\_\_\_  
Adam J. Fishbein, P.C. (AF-9508)  
Attorney At Law  
**Attorney for the Plaintiff**  
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Cedarhurst, New York 11516  
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